

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TINA M. NELSON,
Plaintiff

vs.

MICHAEL J. ASTRUE,
Commissioner of the
Social Security Administration,
Defendant

: CIVIL ACTION

:

:

: No. 08-4785

:

:

:

:

:

ORDER

FILED

JUN 26 2009


MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

STENGEL, J.

AND NOW, this 25th day of June, 2009, upon consideration of the plaintiff's brief and statement of issues in support of her request for review, the Commissioner's response, and the plaintiff's reply, and after a careful and independent review of the Report and Recommendation of Chief United States Magistrate Judge Thomas J. Rueter, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Plaintiff's request for review is GRANTED, and the decision of the Commissioner is REVERSED to the extent that the matter is REMANDED.
3. This matter is REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation.

BY THE COURT:



LAWRENCE F. STENGEL, J.